

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

RICK ELLIOTT,)
Plaintiff,)
v.) 2:07cv395
COMMISSIONER OF SOCIAL) Electronic Filing
SECURITY,)
Defendant.)

MEMORANDUM ORDER

AND NOW, this 28th day of November, 2007, after the plaintiff filed a petition

seeking review of the determination of the Commissioner of Social Security denying his claim for a period of disability or for disability insurance benefits, and after the parties submitted cross-motions for summary judgment, and after the Report and Recommendation of the United States Magistrate Judge was issued, and the parties were granted thirteen days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by the plaintiff, and after independent review of the pleadings, the administrative record, and the Report and Recommendation of the Magistrate Judge (Document No. 13), which is incorporated and adopted as the Opinion of this Court,

IT IS ORDERED that the plaintiff's motion for summary judgment (Document No. 7) is DENIED, that the defendant's motion for summary judgment (Document No. 10) is GRANTED, and that the decision of the Commissioner is AFFIRMED.

DS Cercone

David Stewart Cercone
United States District Judge

cc: Honorable Robert C. Mitchell
United States Magistrate Judge

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